

PATUXENT INSTITUTION



Department of Public Safety and Correctional Services



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CHAPTER I

INTRODUCTION

Patuxent Institution, located in Jessup, Maryland, was created in 1951 by the Maryland General Assembly. Its governing legislation was Article 31B of the Annotated Code of Maryland until October 1, 1999, when the law governing the Institution was relocated to Title 4 of the new Correctional Services Article.

Patuxent Institution is unique in that it operates as a complete correctional system. Although it is part of the Maryland Department of Public Safety and Correctional Services (DPSCS), Patuxent Institution remains separate from the Division of Correction (DOC). It has its own parole authority (Board of Review), parole supervision functions, a community reentry facility, comprehensive treatment programs, and research capabilities.



Simultaneously, the Patuxent Institution plays a critical role as an adjunct to the Division of Correction. The acute mental health unit for males in the Division is located at Patuxent and the Director of Patuxent controls the mental health services for the entire Department. The Regimented Offender Treatment Center, an inpatient component of the Correctional Options program is located at Patuxent. Patuxent also serves as the intake facility for technical parole violators.

MISSION STATEMENT

The mission of the Patuxent Institution is to provide specialized treatment services to eligible offenders in a safe and secure facility in order to enhance public safety in Maryland.

1.1 Background

In its inception, Patuxent Institution served a special group of criminal offenders known as "Defective Delinquents," who were involuntarily committed to Patuxent Institution under an indeterminate sentence.

In 1977, the law was revised to abolish the definition of "defective delinquent" and the involuntary commitment of offenders under an indeterminate sentence. In its stead, the "Eligible Person" (EP) program



was created to provide specialized treatment services to offenders accepted into the EP program. This program focused on the rehabilitation of habitual criminals. In 1987, the EP program was expanded to include female offenders.

In October of 1994, Patuxent Institution's goal changed from one of rehabilitating higher risk, chronic inmates to one targeted toward the remediation of youthful offenders as a means to protect the public from further criminal victimization. Thus, the EP program was refocused. To address the specific needs of offenders most efficiently and cost-effectively, treatment staff developed formalized treatment modules (such as Social Skills, Moral Problem Solving, and Relapse Prevention), and specialized programs, such as the Patuxent Drug Recovery Program (PDRP). In order to better provide treatment services, the treatment staff was restructured into smaller, more flexible treatment teams, Remediation Management Teams (RMTs), which include a psychologist, psychiatrist, educator, social worker, and a custody officer.

At the same time that the EP program was refocused toward the youthful offender, the General Assembly established the Patuxent Institution Youth Program. Unlike the EP program, only courts may refer the youthful offenders adjudicated as adults who meet certain eligibility criteria to Patuxent Institution for evaluation for the program. The program is modeled after the EP program but, unlike that program, an inmate accepted as a Patuxent youth may not "opt out."

Patuxent Institution's Board of Review is an integral part of the Institution's overall treatment program. The Board of Review is composed of nine members, including the Director of Patuxent Institution, two Associate Directors, the Warden, and five members of the general public, one of whom is a member of a victim's rights organization. In addition, an eight member Citizen's Advisory Board, appointed by the Governor, advises the Director and the Secretary on the operations and programs of Patuxent Institution.

***Patuxent Institution: working together
to provide innovative and effective treatment
programs that contribute to a safer Maryland.***

1.2 Appointment of New Director



In May 1999, Secretary Simms appointed Richard B. Rosenblatt as the Director of the Patuxent Institution. Mr. Rosenblatt brings a new perspective to the position as an attorney with 20 years' experience in the criminal justice system. In December 1979, he was appointed an Assistant Attorney General for the State of Maryland and served for 12 years in the criminal division. During those years, Mr. Rosenblatt was actively involved in the development of new law and exhibited leadership in the prosecution of capital cases.

In 1991, Mr. Rosenblatt was reassigned within the Attorney General's Office to deputy counsel to the Department of Public Safety and Correctional Services. There he advised the various agencies of the Department, including the Division of Correction, the Maryland Parole Commission, and the Patuxent Institution. In addition to his keen legal insight, Mr. Rosenblatt demonstrated an ability to analyze policy alternatives and exhibited strong managerial capabilities.

Mr. Rosenblatt brings to Patuxent extensive experience in working with the legislature. In 1989, he served as a champion of the Governor's anti-drug legislative package. He has also served as an expert consultant in the area of the death penalty and sentence calculation. Most recently, he authored the Prison Litigation Reform Act and served on the Commission that created the new Correctional Services Article.



On May 12, 1999, Patuxent Staff welcomed Mr. Rosenblatt to the Institution in a ceremony in which Patuxent's Color Guard marched in a cadence through the Main Gate, around the circular driveway, and presented the colors to the new Director. On that occasion, the Director remarked that the key to his future success was a secure institution. "Only in a safe and secure environment can we begin to think about treatment." Mr. Rosenblatt went on to remark that the prisoners at the Institution would not stay locked up forever. "It is up to the experienced professional staff at this Institution to take the necessary steps to bring about change in these offenders and create a safer Maryland."

1.3 Highlights of 1999

Patuxent Programs

- h A program was initiated to educate the judiciary on the nature of the Patuxent programs in order to insure appropriate referrals and create a better understanding of what the Patuxent programs can accomplish.
- h The Patuxent Youth Program was expanded with the reopening of one renovated tier. Moreover, the program that was initiated in 1995 began to show initial results as the first youth progressed to work release status.
- h This was the final year of the five year project entitled, "Effective Addiction Treatments for Female Offenders." The program is a cooperative effort between Patuxent Institution, Friends Medical Science Research Center, and Maryland Correctional Institution-Women and provides a variety of much needed substance abuse treatment services for more than 600 incarcerated female offenders while simultaneously evaluating the effectiveness of three treatment approaches. This program has provided much needed substance abuse treatment for female offenders at Patuxent Institution and MCI-W since program inception and initial research results have been extremely encouraging. Grant funding was received from the National Institute of Drug Abuse.
- h The Patuxent Institution Horticultural Therapy Program continued to show good results. This unique program, designed to meet the needs of incarcerated violent juvenile and youthful offenders with a substance abuse history, provides therapy and remediation services through its "Gardening to be Drug-Free" component, and vocational skills training through its Master Gardener Certificate program component. This past fiscal year, the program was expanded to include a grant-funded Floriculture Program.
- h The Horticultural Therapy Program provided plant material to several community-based projects, including "hot spot" communities, Civic Works, Baltimore City Council Sixth District Leadership Council, Woodland Project, and the Neighborhood Design Center to help them in their efforts to design their communities in a manner that inhibits criminal activity.



- h In FY 1998, a special project was undertaken by Patuxent Institution and the Maryland State Department of Education, Correctional Education Division in conjunction with the United States Department of Agriculture, Tick Research Division.

Offenders at Patuxent Institution built nearly 200 metal deer feeders for the United States Department of Agriculture, Agriculture Research Service, Beltsville, MD in an effort to combat lyme disease.



The feeders were distributed to various sites in Maryland, as well as the United States' Air Force Base in Little Rock, Arkansas. In FY 1999, this program was continued and expanded to include the manufacture of cow pens, sheep feeders, chicken cages, water troughs and calf hutches.

- h Patuxent Institution's Reasoned Straight Program and Women Reasoning About Problems (WRAP) Program, which provide an opportunity for at-risk youth to interact with specially trained Patuxent offenders who discourage the young males and females from pursuing criminal paths, were recognized by the Frederick County State's Attorney's Office, the Anne Arundel County Police Department, the Baltimore City Housing Authority Police, the Baltimore County Police Department, and the Progressive Life Center for their impact on the youth.

Correctional Mental Health Center-Jessup (CMHC-J)

- h Mental health services in the State correctional system, consolidated at Patuxent to more effectively and cost efficiently address the needs of the mentally-ill offender, continued to accomplish this objective. Mental health services were expanded with the opening of a new tier to create a new "step down" unit as a supplement to the acute mental health center.
- h In FY 1998, an average of 362 mentally-ill offenders were housed at Patuxent Institution in the Correctional Mental Health Center-Jessup (CMHC-J). Approximately 240 referrals from the Division of Correction were accepted.
- h An important interagency agreement established in 1994 between the CMHC-Jessup and the Department of Health and Mental Hygiene remains in place to coordinate a smooth transition for mentally-ill offenders about to leave the correctional system and who require further inpatient care. This agreement ensures continuity of care for the patient and provides another measure for public safety.
- h A new Chief Psychiatrist was retained for the Department in a unique partnership between

the Department, the Mental Health Administration, and the University of Maryland.

The Regimented Offender Treatment Center (ROTC)

- h The Regimented Offender Treatment Center (ROTC), part of the Correctional Options Program (COP), was established at Patuxent Institution in conjunction with the Division of Parole and Probation in May 1994. This fiscal year, the ROTC-W for women offenders was relocated to the Patuxent Institution. In FY 1999, a total of 519 ROTC offenders were treated at Patuxent Institution. This certified addictions treatment program has had over 2,100 graduates to date.
- h A Reentry Aftercare Center (RAC) at Patuxent Institution's Reentry Facility in Baltimore provides outpatient services to approximately 200 offenders per week. Referrals to RAC are accepted from all COP supervision units, Central Home Detention, and the Toulson Boot Camp.

DOC Annex

- h Approximately 398 Technical Parole Violation cases were held in FY 1999. To date, more than 4,400 offenders have been processed at Patuxent since program inception.



CHAPTER II

FY 1999 OPERATING COSTS AND STAFFING LEVEL



Patuxent Institution's appropriation and expenditures for FY 1999 are presented in Table 2a, Operating Cost--FY 1999, on the following page. The total operating cost for FY 1999 was \$28,162,589, a 6.7% increase over FY 1998. However, during FY 1999, per capita costs increased significantly, due to an 11% drop in the average daily population resulting from the closing of bed wings for extensive renovations and repairs, and the increased bed turnover rate and associated custodial costs. Education expenditures are not reflected in this budget for they come out of Maryland State Department of Education (MSDE) funds.

The bed turnover rate at the Institution ranged as high as 700-800 offenders per month, a significant increase from 60 to 170 offenders per month in FY 1993. This high bed turnover rate is directly attributable to the variety of programs and populations at the Institution, particularly mentally ill offenders, technical parole violators, and Parole and Probation (P&P) Regimented Offender Treatment Center (ROTC) offenders. This type of movement is generally unheard of in a maximum security facility and contributed to increased custodial costs.



At the close of FY 1999, 492.7 staff positions were authorized. These positions are allocated as follows:

- h 75% Custodial staff;
- h 8% Food and maintenance staff;
- h 9% Fiscal, medical, administrative,
and support staff; and
- h 8% Clinical treatment staff.

**TABLE 2a
OPERATING COST--FY 1999**

	GENERAL FUNDS	SPECIAL FUNDS¹	FEDERAL FUNDS²	TOTAL FUNDS
ORIGINAL APPROPRIATION:	\$27,810,279	\$636,407		\$28,446,686
ACTUAL EXPENDITURES:				
General Administration	\$2,848,209	\$15,257		\$2,863,466
Custodial Care	\$16,728,570	\$345,453		\$17,074,023
Dietary Services	\$1,389,157			\$1,389,157
Plant Operations/Maintenance	\$2,093,700			\$2,093,700
Diagnostic/Classification/Treatment Services ³	\$4,342,182	\$48,373	\$18,830	\$4,409,385
Classification/Recreation/Religious Services		\$30,029		\$30,029
Outpatient Services (ReEntry Facility)	\$254,207	\$48,622		\$302,829
TOTAL OPERATING COST:	\$27,656,025	\$487,734	\$18,830	\$28,162,589
AVERAGE DAILY POPULATION:⁴	669			
PER CAPITA COST:	\$41,339			

¹Inmate Welfare Funds.

²Patuxent Institution was awarded a grant through the Office of Crime Control and Prevention (formerly the Governor's Drug and Alcohol Abuse Commission) by the Bureau of Justice Assistance, Office of Justice Programs, to develop a Horticultural Therapy Program which addresses the needs of substance abusing offenders. The third year award of this grant was \$18,830 and required a 25% cash match.

³Includes \$2,326,904 in Correctional Medical Services (CMS) contractual medical care costs.

⁴Average population for the entire year. Includes offenders in the Patuxent Institution Youth Program and the Eligible Person (EP) Program (including parolees), offenders held at Patuxent Institution on a temporary basis for the Division of Correction (DOC), and offenders in the Community Mental Health Center-Jessup. In Fiscal Year 1999, the Institution housed an average of 293 offenders in Patuxent Institution's treatment programs, 213 DOC transient offenders, and 161 DOC mental health offenders.

CHAPTER III

OFFENDERS EVALUATED IN FY 1999 FOR TREATMENT

Once an offender is referred to and arrives at the Institution for evaluation in conjunction with either the Eligible Person or Youth program, a Patuxent Institution evaluation team is assembled to review relevant information on the offender and to begin the evaluation process. The evaluation process involves extensive psychiatric and psychological testing of the offender, and a thorough review of the offender's social, physical, and mental condition and history. The evaluation team of clinical, administrative, and custodial personnel (including at least one psychiatrist, one psychologist, and one social worker) then will recommend whether or not the individual is eligible for the referred treatment program (EP or Patuxent Youth program).

If the offender is found ineligible, he or she is returned to the custody of the Division of Correction. Offenders found eligible for the referred treatment program remain at Patuxent Institution for treatment.

In order to be found eligible for the EP program, an offender must, in addition to having three or more years remaining on his or her sentence:

- h have an intellectual impairment or emotional unbalance;
- h be likely to respond favorably to the programs and services provided at Patuxent Institution; and
- h be better able to respond to remediation through Patuxent Institution's programs and services than by other incarceration.

The eligibility requirements for the Patuxent Institution Youth program are similar to the EP program with two exceptions: 1) Patuxent Youth must have received a sentence of at least three years, and 2) Patuxent Youth must have been referred by the court at the time of sentencing for the Patuxent Institution Youth program and must be younger than 21 years old at the time of referral.

In Fiscal Year 1999, the staff evaluated a total of 85 offenders for possible admission into Patuxent's treatment programs. This year, 52 offenders were evaluated for the EP program. Of this number, 24 offenders (46%) were found eligible, and 28 offenders (54%) were found ineligible for treatment. In contrast, 33 Patuxent Youth were evaluated, with 19 Youth (58%) found eligible for the program, and 14 Youth (42%) found ineligible for the treatment program. During the past fiscal year, the Patuxent Youth Program reached capacity due to outreach efforts undertaken by staff with the courts to increase awareness of the Youth Program.

3.1 Demographics

Table 3a, Gender, Race, and Age Distribution of Offenders Evaluated at Patuxent Institution in FY1999 presents demographic data on offenders evaluated at Patuxent. The number of Eligible Persons (EP) accepted into the program this year was greater than the number of Patuxent Youth accepted into the Institution's treatment programs (24 offenders versus 19). Overall, nearly 51% of the offenders evaluated were accepted into Patuxent's treatment programs.

TABLE 3a
GENDER, RACE, AND AGE DISTRIBUTION OF OFFENDERS EVALUATED AT
PATUXENT INSTITUTION IN FY 1999

CATEGORY	ELIGIBLE		NON-ELIGIBLE		EVALUATED N=85	
	#	%	#	%	#	% of total eligible
PROGRAM						
Eligible Persons	24	46.2%	28	53.8%	52	61.2%
Patuxent Youth	19	57.6%	14	42.4%	33	38.8%
GENDER						
Female	9	20.9%	11	26.2%	20	23.5%
Male	34	79.1%	31	73.8%	65	76.5%
RACE*						
African-American	31	72.1%	32	76.2%	63	74.1%
Asian	1	2.3%	1	2.4%	2	2.4%
Caucasian	11	25.6%	9	21.4%	20	23.5%
AGE						
15-19	8	18.6%	8	19.0%	16	18.8%
20-24	19	44.2%	12	28.6%	31	36.5%
25-29	7	16.3%	7	16.7%	14	16.5%
30-34	4	9.3%	8	19.0%	12	14.1%
35-39	3	7.0%	3	7.1%	6	7.1%
40-44	1	2.3%	3	7.1%	4	4.7%
45-49	1	2.3%	1	2.4%	2	2.4%
50-54	0	0.0%	0	0.0%	0	0.0%
55+	0	0.0%	0	0.0%	0	0.0%
MEAN:	25 YEARS		27 YEARS		26 YEARS	
MEDIAN:	22 YEARS		25 YEARS		24 YEARS	
RANGE:	17-45 YEARS		17-49 YEARS		17-49 YEARS	

*No American Indian or Hispanic offenders were referred to the Institution for evaluation during FY 1999.

GENDER

- h The majority of offenders evaluated and accepted into the program are male; 45% of the females evaluated were accepted into the program, and 52% of the males.

RACE

- h The percent of offenders evaluated by race closely resembles Maryland's correctional population.
- h Approximately 74% of the offenders evaluated for treatment were African-American, 24% were Caucasian, and 2% were Asian. No American Indian or Hispanic offenders were referred to Patuxent Institution for evaluation in FY 1999.

AGE

- h Approximately 55% of the offenders evaluated were between 15 and 24 years of age, and nearly 63% of these offenders were found eligible for Patuxent Institution's treatment program.
- h The older an offender, the less likely the offender would be referred to the Institution for evaluation, given the Institution's mission of remediating youthful offenders. Only 7% of the offenders referred to the Institution for evaluation were 40 years old or older.
- h Offenders 20 to 24 years old represent nearly 44% of the offenders accepted into Patuxent Institution's treatment programs.



3.2 Offense Characteristics

The offense characteristics of the offenders evaluated in FY 1999 can be discussed in three areas: 1) most serious offense, 2) sentence length in years, and 3) county of conviction. Three tables, Tables 3b-3d, present data on these three variables.

TABLE 3b MOST SERIOUS OFFENSE OF OFFENDERS EVALUATED IN FY 1999						
TYPE OF OFFENSE	ELIGIBLE N=43		NON-ELIGIBLE N=42		EVALUATED N=85	
	#	%	#	%	#	%
VIOLENT OFFENSES	38	88.4%	34	81.0%	72	84.7%
Homicide	13	30.2%	11	26.2%	24	28.2%
Sexual Assault ¹	0	0.0%	5	11.9%	5	5.9%
Kidnapping	0	0.0%	1	2.4%	1	1.2%
Robbery	14	32.6%	5	11.9%	19	22.4%
Assault ²	3	7.0%	3	7.1%	6	7.1%
Other Violent ³	8	18.6%	9	21.4%	17	20.0%
PROPERTY OFFENSES	2	4.7%	2	4.8%	4	4.7%
Burglary	2	4.7%	2	4.8%	4	4.7%
Arson	0	0.0%	0	0.0%	0	0.0%
Larceny	0	0.0%	0	0.0%	0	0.0%
Other Property ⁴	0	0.0%	0	0.0%	0	0.0%
DRUG OFFENSES	3	7.0%	6	14.3%	9	10.6%
Possession ⁵	3	7.0%	4	9.5%	7	8.2%
Distribution	0	0.0%	1	2.4%	1	1.2%
Drugs-Other	0	0.0%	1	2.4%	1	1.2%
PUBLIC-ORDER OFFENSES	0	0.0%	0	0.0%	0	0.0%

¹**Sexual Assault** includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse.

²**Assault** includes battery and assault with intent to murder, rape, or maim.

³**Other Violent** includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon.

⁴**Other Property** includes uttering.

⁵**Possession** includes possession with intent to distribute.

Table 3c, Sentence Length in Years of Offenders Evaluated in FY 1999, below, reflects Patuxent Institution's growing tendency to admit offenders with a lower sentence length. More than 51% of the offenders accepted into the program had a sentence length of 15 years or less.

TABLE 3c SENTENCE LENGTH IN YEARS OF OFFENDERS EVALUATED IN FY 1998						
YEARS	ELIGIBLE N=43		NON-ELIGIBLE N=42		EVALUATED N=85	
	#	%	#	%	#	%
Less Than 5 Years	0	0.0%	1	2.4%	1	1.2%
5-10 Years	11	25.6%	17	40.5%	28	32.9%
11-15 Years	11	25.6%	7	16.7%	18	21.2%
16-20 Years	7	16.3%	3	7.1%	10	11.8%
21-25 Years	7	16.3%	3	7.1%	10	11.8%
26-30 Years	3	7.0%	4	9.5%	7	8.2%
31-35 Years	1	2.3%	0	0.0%	1	1.2%
36-40 Years	1	2.3%	0	0.0%	1	1.2%
41-45 Years	0	0.0%	1	2.4%	1	1.2%
46-50 Years	0	0.0%	1	2.4%	1	1.2%
51+ Years	0	0.0%	0	0.0%	0	0.0%
LIFE	2	4.7%	5	11.9%	7	8.2%
NON-LIFERS						
MEAN:	17 YEARS		16 YEARS		17 YEARS	
MEDIAN:	15 YEARS		12 YEARS		14 YEARS	
RANGE:	5-40 YEARS		3-50 YEARS		3-50 YEARS	

Table 3d, County of Conviction of Offenders Evaluated in FY 1999, below, presents data on the County/City in which the evaluated offenders were convicted.

TABLE 3d COUNTY OF CONVICTION OF OFFENDERS EVALUATED IN FY 1999						
County/City	ELIGIBLE N=43		NON-ELIGIBLE N=42		EVALUATED N=85	
	#	%	#	%	#	%
Anne Arundel County	0	0.0%	4	9.5%	4	4.7%
Baltimore City	9	20.9%	16	38.1%	25	29.4%
Baltimore County	4	9.3%	4	9.5%	8	9.4%
Calvert County	1	2.3%	0	0.0%	1	1.2%
Caroline County	0	0.0%	1	2.4%	1	1.2%
Carroll County	2	4.7%	0	0.0%	2	2.4%
Charles County	6	14.0%	3	7.1%	9	10.6%
Dorchester County	1	2.3%	1	2.4%	2	2.4%
Harford County	2	4.7%	0	0.0%	2	2.4%
Howard County	1	2.3%	0	0.0%	1	1.2%
Montgomery County	0	0.0%	3	7.1%	3	3.5%
Prince George's County	14	32.6%	7	16.7%	21	24.7%
Talbot County	0	0.0%	1	2.4%	1	1.2%
Wicomico County	2	4.7%	1	2.4%	3	3.5%
Out of State	1	2.3%	1	2.4%	2	2.4%



CHAPTER IV

CURRENT PATUXENT POPULATION AND DEMOGRAPHICS

4.1 Demographics

Demographics on the gender, race, and age distribution of the current EP population under treatment are presented in Table 4a, Gender, Race, and Age Distribution of Patuxent Institution Eligible Persons in FY 1999, on the following page.

GENDER

- h The majority of offenders in the EP program are male (83%), with female offenders comprising 17%. The Youth Program is even more overwhelming by comparison being 96.5% male. The imbalance is the result of judicial referral. The Maryland Correctional Institution for Women has been very cooperative in allowing Patuxent to attempt to recruit new female intakes for the Patuxent program. Nevertheless, openings in the program remain. On the other hand, a significant waiting list exists for men seeking admission into both the EP and Youth programs.

RACE

- h The majority of offenders in the EP program are African-American (59%) with a significant percentage Caucasian (41%). Only one offender was Hispanic, and none were American Indian or Asian. In the youth program, the African American representation is far more significant (84%).

AGE

- h The mean age for the EP program is 36 years, and the range is between 19 and 66 years old. This reflects the population in the program who have been there since prior to the refocus to youthful offenders. The Youth are, of course, far younger with a mean of 21 and range of 16 to 25.
- h Approximately 9% of the current EP population is over the age of 49. Middle-aged offenders (ages 35-49) represent approximately 44% of the population. Approximately 48% of the current treatment population is between 15 and 34 years old. Over time, the average age of the treatment population is expected to continue to decrease to reflect Patuxent Institution's new mission of remediating youthful offenders, which became effective October 1994.

TABLE 4a

GENDER, RACE, AND AGE DISTRIBUTION PATUXENT PROGRAM POPULATION IN FY 1999				
CATEGORY	EP N=247		YOUTH N=114	
	#	%	#	%
GENDER				
Male	205	83.0%	110	96.5%
Female	42	17.0%	4	3.5%
RACE				
African-American	145	58.7%	96	84.2%
Caucasian	101	40.9%	18	15.8%
Hispanic	1	0.4%	0	0%
AGE				
15-16	0	0%	1	0.88%
17-19	2	0.8%	32	28.07%
20-24	34	13.8%	81	71.05%
25-29	41	16.6%	NOT APPLICABLE	
30-34	41	16.6%		
35-39	35	14.2%		
40-44	38	15.4%		
45-49	35	14.2%		
50-54	12	4.9%		
55+	9	3.6%		
MEAN:	36 YEARS		21 YEARS	
MEDIAN:	36 YEARS		21 YEARS	
RANGE:	19-66 YEARS		16-25 YEARS	

*Note: No American Indian or Asian offenders were in the treatment program during FY 1999.

In accordance with its revised mission, Patuxent Institution has been redirecting its energies and focusing on the remediation of youthful offenders, rather than the rehabilitation of habitual, older offenders. This changing trend is reflected in Table 4b, Admission Age of the FY 1999 Eligible Persons Population, below.

TABLE 4b ADMISSION AGE OF THE FY 1999 PATUXENT PROGRAM POPULATION				
AGE	EP N=247		YOUTH N=114	
	#	%	#	%
15-16	0	0%	14	13%
17-19	29	11.7%	69	60%
20-24	68	27.5%	31	27%
25-29	62	25.1%	NOT APPLICABLE	
30-34	39	15.8%		
35-39	30	12.1%		
40-44	11	4.5%		
45-49	6	2.4%		
50-54	1	0.4%		
55+	1	0.4%		
MEAN:	28 YEARS		19 YEARS	
MEDIAN:	27 YEARS		19 YEARS	
RANGE:	16-56 YEARS		16-25 YEARS	

Of the Youth, only 3 were age 15 at the time of admission. Conversely, only 3 were 22 at the time of admission.

4.2 Offense Characteristics

The offense characteristics of the current EP and Youth populations are presented in three areas: 1) most serious offense, 2) sentence length in years, and 3) county of conviction. Three corresponding tables, Tables 4c-4e present data on these three variables.

Table 4c, Most Serious Offense of the FY 1999 combined Patuxent Program Populations gives the number and percent of offenders under treatment in FY 1999 by type of offense. The various type of offenses are categorized into the following four broad categories used by the National Institute of Justice: 1) violent offenses, 2) property offenses, 3) drug offenses, and 4) public-order offenses.

TABLE 4c MOST SERIOUS OFFENSE OF THE FY 1999 PATUXENT PROGRAM POPULATION				
TYPE OF OFFENSE	EP N=247		YOUTH N=114	
	#	%	#	%
VIOLENT OFFENSES	209	84.6%	110	96.5%
Homicide	106	42.9%	42	36.8%
Sexual Assault ¹	26	10.5%	3	2.6%
Kidnapping	1	0.4%	2	1.8%
Robbery	36	14.6%	23	20.2%
Assault ²	15	6.1%	14	12.3%
Other Violent ³	25	10.1%	26	22.8%
PROPERTY OFFENSES	23	9.3%	1	0.9%
Burglary	14	5.7%	0	0.0%
Arson	3	1.2%	0	0.0%
Larceny	6	2.4%	1	0.9%
DRUG OFFENSES	14	5.7%	3	2.6%
Possession ⁴	9	3.6%	2	1.8%
Distribution	2	0.8%	1	0.9%
Conspiracy	1	0.4%	0	0%
Drugs-Other	2	0.8%	0	0%
PUBLIC-ORDER OFFENSES⁵	1	0.4%	0	0%
Probation Violation	1	0.4%	0	0%

¹**Sexual Assault** includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse. ²**Assault** includes battery and assault with intent to murder, rape, or maim. ³**Other Violent** includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon. ⁴**Possession** includes possession with intent to distribute.

In the Bureau of Justice Statistics' Drugs and Crime Facts, 1993 (pg. 19), the national percentage of offenders incarcerated for drug crimes was 21% in 1991, up from 9% in 1986. Although the percent of EP offenders incarcerated at Patuxent Institution for drug offenses is only about 6% and Youth program offenders is only 2.6%, treatment staff have determined that approximately 85% of the offenders have a significant history of substance abuse, including alcohol. It should be noted that offenders who were arrested for a more serious offense, such as a violent offense, who also had a drug-related offense, only would be counted under their most serious offense, and their drug offense would not be reflected in the drug offense category.

Table 4d, Sentence Length in Years of the FY 1999 Eligible Persons Population, on the following page, shows the sentence length in years of the current treatment population.

The following conclusions can be drawn from this table:

- h Nearly 25% of the EP offenders were sentenced to 15 years or less. Of the Youth offenders, 57% were sentenced to 15 years or less.
- h 46 offenders (19%) in the EP program are serving a life sentence.
16 Youth (14%) have life sentences.

TABLE 4d SENTENCE LENGTH IN YEARS OF THE FY 1999 PATUXENT PROGRAM POPULATION				
# OF YEARS	EP N=247		YOUTH N=114	
	#	%	#	%
<5 YEARS	0	0%	3	2.6%
5-10 YEARS	26	10.5%	49	43.0%
11-15 YEARS	34	13.8%	13	11.4%
16-20 YEARS	27	10.9%	11	9.6%
21-25 YEARS	35	14.2%	12	10.5%
26-30 YEARS	36	14.6%	7	6.1%
31-35 YEARS	8	3.2%	1	0.9%
36-40 YEARS	14	5.7%	0	0%
41-45 YEARS	5	2.0%	0	0%
46-50 YEARS	8	3.2%	1	0.9%
51+ YEARS	8	3.2%	1	0.9%
LIFE	46	18.6%	16	14.0%
NON-LIFERS				
MEAN:	25 YEARS		15 YEARS	
MEDIAN:	25 YEARS		10 YEARS	
RANGE:	5-70 YEARS		4-90 YEARS	

The last table in this chapter, Table 4e, County of Conviction of the FY 1999 Eligible Persons Population, presents data on the county in which the offender was convicted. From this table, it is shown that:

- h The vast majority of offenders (30% EP and 41% Youth) were convicted in Baltimore City. Prince George's County (20%) offenders represent 20.2% of the EP program and 31.6% of the Youth program.



TABLE 4e COUNTY OF CONVICTION OF THE FY 1999 PATUXENT PROGRAM POPULATION				
County/City	EP N=247		YOUTH N=114	
	#	%	#	%
Allegany County	2	0.8%	0	0%
Anne Arundel County	4	1.6%	4	3.5%
Baltimore City	75	30.4%	47	41.2%
Baltimore County	45	18.2%	10	8.8%
Calvert County	2	0.8%	0	0%
Caroline County	5	2.0%	1	0.9%
Carroll County	6	2.4%	0	0%
Cecil County	3	1.2%	0	0%
Charles County	10	4.0%	8	7.0%
Dorchester County	1	0.4%	0	0%
Frederick County	1	0.4%	0	0%
Garrett County	1	0.4%	0	0%
Harford County	6	2.4%	1	0.9%
Howard County	3	1.2%	2	1.8%
Kent County	2	0.8%	0	0%
Montgomery County	16	6.5%	4	3.5%
Prince George's County	50	20.2%	36	31.6%
St. Mary's County	2	0.8%	0	0%
Somerset County	1	0.4%	0	0%
Talbot County	2	0.8%	0	0%
Washington County	4	1.6%	0	0%
Wicomico County	4	1.6%	1	0.9%
Worcester County	1	0.4%	0	0%
Out-of-State	1	0.4%	0	0%

CHAPTER V

PATUXENT INSTITUTION BOARD OF REVIEW SUMMARY

Patuxent Institution is the only Maryland State correctional facility that has its own conditional release authority, the Board of Review. The Board of Review: annually reviews offenders' progress in the EP and Patuxent Youth program; may grant, deny, or revoke status to offenders in these programs; may find offenders ineligible for a treatment program; and can recommend that the sentencing court release an offender from the remainder of a sentence.

The Board of Review is comprised of the following nine members:

- h The Director of Patuxent Institution;
- h Two Associate Directors;
- h The Warden; and
- h Five Members of the General Public Appointed by the Governor.



In order to address the concerns of victims, one of the five community members must be a member of a victim's rights organization.

From the left – seated: Betty J. Humphrey, DPA; Carole A. Henley; Eva Hebron; standing: Arthur Marshall, Esq.; Byron Sedgwick; Amanollah Taheri, M.D., Richard Rosenblatt, Esq.; Randall Nero, Ph.D.; Archie Gee

The Board of Review's authority has changed several times since its inception in 1977. In regards to paroling offenders serving a life sentence, the Board of Review:

- h Can approve parole for an offender serving a life sentence if the offender's crime was committed prior to July 1, 1982;
- h Can recommend parole for an offender serving a life sentence, but must have the Governor's approval if the offender's crime was committed after July 1, 1982 and on or before March 20, 1989; and
- h Can recommend parole for an offender serving a life sentence, but must have the approval of both the Governor and the Secretary of the Department of Public Safety and Correctional Services if the offender's crime was committed after March 20, 1989.

Additionally, offenders serving life sentence(s) for first degree murder, first degree rape, or a first degree sex offense may not be released on parole until the offender has served the same minimum time required for Division of Correction offenders; 25 years for a life sentence imposed following a death penalty proceeding, and 15 years for other life sentences.

For offenders serving a non-life sentence, the Board of Review can approve parole if the offender's crime was committed on or before March 20, 1989; and can recommend parole but must have the approval of the Secretary of the Department of Public Safety and Correctional Services if the offender's crime was committed after March 20, 1989. In addition, under the law revised and amended in March 1989, the approval of seven of the nine Board of Review members is required for an offender to be granted any type of conditional release status, including day leaves, work/school release, and parole.

5.1 Board of Review Activity Summary

The Board of Review generally meets two times per month to review offenders' progress in the treatment programs. The Board of Review also may consider requests for status, may revoke status, or may find offenders ineligible for the Eligible Person treatment program. An offender can appear before the Board of Review more than one time per year, but must come before the Board of Review at least once per year.

In FY 1999, the Board of Review reviewed 357 cases. Table 5a, Summary of Board of Review Cases in FY 1999, on the following page, shows the number of cases reviewed by hearing type.

On average, 30 cases per month were reviewed. Of the 357 cases heard, nearly 85% were for annual reviews of the offenders' progress in the EP or Patuxent Institution Youth program: approximately 75% for offenders housed at Patuxent Institution (in-house annual reviews), 9% for work release offenders, and 16% for parolees. The remaining cases brought before the Board of Review were comprised of status requests (6%), parole revocation hearings (1%), work release hearings (< 0.5%), and reviews of EP status (7%). No offenders were brought before the Board of Review this year with a complete release request.

TABLE 5a SUMMARY OF BOARD OF REVIEW CASES IN FY 1999	
CASE HEARING TYPES	TOTAL
ANNUALS REVIEWS	304
In-house Annual Reviews	243
Work Release Annual Reviews	16
Parolee Annual Reviews	45
STATUS REQUESTS	20
PAROLE REVOCATION HEARINGS	5
WORK RELEASE HEARINGS	1
REVIEWS OF ELIGIBLE PERSON STATUS	26
REQUESTS FOR COMPLETE RELEASE	0
TOTAL	356

The activities of those offenders granted status, such as day leaves, work release, halfway house parole, and community parole, are closely regulated by the Board of Review. In FY 1999, the Board of Review made 291 administrative decisions regarding these status offenders, decisions ranging from approval of visit requests to approval of financial purchases.

5.2 Grants of Status

The Board of Review may grant the following types of conditional release status: accompanied day leaves, work/school release, or parole to the community.

In FY 1999, the Board of Review made 20 grants of conditional release status involving 16 offenders (offenders can receive more than one type of status within the Calendar year; for example, an offender can first receive accompanied day leaves and then, later in the year, be promoted to work release status). The number and type of status granted are presented in Table 5b, FY 1999 Grants of Status, below.

TABLE 5b FY 1999 GRANTS OF STATUS	
TYPE OF STATUS GRANTED	# GRANTED STATUS
Accompanied Day Leaves	11
Work Release	7
Parole to Community	2
TOTAL	20

In FY 1999, two offenders were paroled to the community. Of the two offenders granted parole to the community, one offender is a first time parolee. The other parolee had been granted parole status of some sort in previous years. Therefore, Table 7c in Chapter VII, Parole Outcomes, which represent the number of revocations and arrests for parolees paroled for the first time, will show one offender paroled in FY 1999, not two. No first time parolees have been convicted or reincarcerated for a new offense as of the close of FY 1999. Therefore, no data is presented.

All of the offenders granted status remain under the direct supervision of Patuxent Institution. Under certain circumstances, however, the Board of Review may recommend parole of a parolee to another State under an Interstate Corrections Compact (ICC) transfer. An offender accepted for parole under an ICC transfer is placed under the direct supervision of an appropriate agency in another State. However, Patuxent Institution staff continue to monitor an offender's progress under an ICC transfer at least annually. In FY 1999, no offenders requested an ICC transfer. However, one offender was on ICC transfer status from a previous year.

After an offender has been on community parole successfully for at least three years, the Board of Review may recommend to the sentencing court that an offender be released from the remainder of his or her sentence. In FY 1999, the Board of Review did not recommend any offenders to the courts for complete release.

5.3 Revocations of Status

Offenders who participate in Patuxent Institution's conditional release program are closely monitored and supervised. Whenever an offender is believed to have violated a term or condition of the parole contract, a preliminary parole revocation hearing is held at the Institution before a Hearing Officer. Upon the Hearing Officer finding probable cause that the offender did violate a term or condition of the parole contract, the offender is held at the Institution pending a formal parole revocation hearing before the Board of Review.

In FY 1999, less than 1% of the cases brought before the Board of Review were parole revocation hearings. Less than 0.5% of the cases brought before the Board of Review were to review work release status. Parole revocation hearings are held for both major and minor violations of the parole contract. For those offenders' whose offenses were committed after March 20, 1989, the law specifies that the first major violation of a release condition requires mandatory revocation from a status for at least six months. A second major violation automatically leads to expulsion from the treatment program. Major violations include: escape; failure to return from parole, work release, school release, or leave within one hour of the time due, unless the failure to return was due to causes beyond the control of the eligible person; commission of a new offense, other than a minor traffic violation; commission of a major violation of the Institution's disciplinary rules; violation of any rules not categorized as minor violations under the regulations of Patuxent Institution; and use of any controlled dangerous substance the offender is not entitled to use under Maryland law.

Of the five parole revocation hearings held, two hearings (40%) resulted in the revocation of status, two hearings (40%) resulted in no change in status, and one hearing (20%) resulted in the offender being found no longer eligible for the Patuxent Program. The one work release status review did not result in any change to the offender's status.

5.4 Findings of Ineligibility

During the course of annual reviews, or as necessary (i.e., special hearings requested by the Unit Chairs before the Board of Review), the Board of Review also may determine that an individual is no longer eligible to participate in the treatment program. An offender may be found no longer eligible for reasons such as violating Institutional rules, inadequate progress in the program, or having reached maximum benefit from treatment.

In FY 1999, the Board of Review found 12 offenders no longer eligible for the EP program. The Director found 15 Patuxent Youth no longer eligible.

CHAPTER VI

DISCHARGES FROM PATUXENT INSTITUTION'S AUTHORITY

During the course of FY 1999, 107 offenders were completely discharged from Patuxent Institution. The number of offenders discharged by discharge reason and sex are listed in the table below.

TABLE 6a				
PATUXENT INSTITUTION FY 1999 DISCHARGES				
DISCHARGE REASON	# FEMALE OFFENDERS	# MALE OFFENDERS	TOTAL	
			#	%
Court Release	0	4	4	3.7%
Deceased	0	1	1	0.9%
Mandatory Release	4	14	18	16.8%
Expiration of Sentence	1	1	2	1.9%
Board of Review	2	10	12	11.2%
Office of the Director*	0	16	16	15.0%
Staff Evaluation	6	17	23	21.5%
Voluntarily Opted Out	12	19	31	28.9%
TOTAL	25	82	107	100%

*Patuxent Youth found ineligible by the Director.

As the above table illustrates, the majority of the 107 offenders released from Patuxent Institution in FY 1999 were either found ineligible during staff diagnostic evaluations prior to being accepted into the treatment programs (22%), or voluntarily opted out of the EP program (29%). Nearly 11% of the offenders discharged from Patuxent Institution's authority were found ineligible by the Board of Review for various reasons as discussed in Section 5.4, Findings of Ineligibility. Another 15% of the offenders in the Patuxent Youth Program were found ineligible by the Director. Parole to the community is not considered a form of complete discharge since the parolee remains under the supervision and authority of Patuxent Institution.

CHAPTER VII

PAROLE OUTCOMES

Parole outcome data are included on offenders paroled for the first time from FY 1995 through FY 1999.

In general, three measures are used to evaluate parole outcomes: rearrests, reconvictions, and/or reincarcerations. Patuxent Institution uses all three of these outcome measures. In addition, Patuxent Institution evaluates parole revocations, that is, the number of parolees revoked by the Board of Review for violation of a technical aspect of their parole contract or for a major violation, such as a new offense.

The tables in this chapter follow first time parolees of Patuxent Institution for three years, the generally accepted time frame for recidivism follow-up studies. This time frame also is the standard used by the National Institute of Justice.

The first two tables of this chapter consider the most serious offense of the parolees and their current status as of the end of FY 1999, respectively. The last table presents data on revocations. This year, no first time offenders paroled since FY 1995 were arrested, reconvicted, or reincarcerated for a new offense within three years of being granted parole status.

7.1 Offense Characteristics



Between FY 1995 and FY 1999, a total of 16 offenders were granted parole status to the community. Table 7a, Most Serious Original Offense of FY 1995-FY 1999 Parolees, on the following page, presents data on the number of offenders paroled during FY 1995 through FY1999 by offense type. All of these offenders had participated in the EP program.

Of the 16 offenders paroled, approximately 87% were serving a non-life sentence, and 13% were serving a life

sentence. Table 7a shows that:

- h The majority (69%) of offenders paroled from Patuxent Institution since FY 1995 had committed a violent offense.
- h Of the paroled offenders, nearly 31% had been convicted of homicide.

TABLE 7a MOST SERIOUS ORIGINAL OFFENSE OF FY 1995-FY 1999 PAROLEES		
TYPE OF OFFENSE	PAROLEES N= 16	
	#	%
VIOLENT OFFENSES	11	68.8%
Homicide	5	31.3%
Sexual Assault ¹	0	0.0%
Kidnapping	0	0.0%
Robbery	3	18.7%
Assault ²	2	12.5%
Other Violent ³	1	6.3%
PROPERTY OFFENSES	2	12.5%
Burglary	2	12.5%
Larceny	0	0.0%
Other Property ⁴	0	0.0%
DRUG OFFENSES	2	12.5%
Possession ⁵	2	12.5%
Distribution	0	0.0%
PUBLIC-ORDER OFFENSES	1	6.3%
Probation Violation ⁶	1	6.3%

¹**Sexual Assault** includes rape (1st and 2nd degree) and attempted rape; sexual offense (1st, 2nd, and 3rd degree); and incest and child abuse.

²**Assault** includes battery and assault with intent to murder, rape, or maim.

³**Other Violent** includes conspiracy to murder, attempted murder, and accessory to murder; malicious wounding; attempted robbery with a deadly weapon; and handgun violations/carrying a deadly weapon.

⁴**Other Property** includes uttering.

⁵**Possession** includes possession with intent to distribute.

⁶**Public-Order Offenses** include probation violations.

The current status of offenders paroled from FY 1995 through FY 1999 is presented in Table 7b, Current Status of Offenders Paroled From FY 1995-FY 1999, below.

TABLE 7b CURRENT STATUS OF OFFENDERS PAROLED FROM FY 1995-FY 1999		
STATUS	# OF OFFENDERS	% OF OFFENDERS
Conditional Release Status	11	69%
Court Released	0	0%
Deceased	0	0%
Mandatory Release/Expiration	1	6%
Non-Eligible Per Board of Review	0	0%
Returned to Patuxent	4	25%
Voluntarily Opted Out	0	0%
TOTAL	16	100%

This table shows that:

- h Nearly 75% of the offenders paroled during this time period are participating or participated successfully in Patuxent's conditional release program.
- h One fourth of the offenders were returned to Patuxent Institution.

7.2 Parole Revocations

When the REF staff has reason to believe that a parolee has violated a condition(s) of his/her parole contract or has violated a State, Federal, or municipal law, the parolee is returned to Patuxent Institution and brought before a Hearing Officer for a preliminary parole revocation hearing. In a preliminary parole revocation hearing, the Hearing Officer determines whether or not there is probable cause to keep the parolee at Patuxent Institution until a formal parole revocation hearing is held before the Board of Review. If the Hearing Officer determines that there is no probable cause to keep the parolee at Patuxent Institution, the parolee is permitted to return to the REF or the community (depending upon parole status).

If the Hearing Officer determines probable cause during the preliminary parole revocation hearing, the parolee remains at Patuxent Institution until a formal parole revocation hearing is held before the Board of Review. During a formal parole revocation hearing, the Board of Review determines whether or not the offender's parole status should be revoked. Table 7c, Year of First Revocation FY 1995-FY 1999 Parolees, on the following page, presents data on the number and percent of parolees formally revoked by the Board of Review within three years of being paroled for the first time.

For the five year time period in question, parole revocations averaged approximately 13% (2 offenders out of 16). The two offenders revoked status had not been charged with a violation of the law. They were returned to the Institution for technical violations. As Table 7c, on the following page, illustrates, these offenders were revoked parole during the third year of parole. Over this time period, no offenders were revoked status within the first two years of parole.

TABLE 7c YEAR OF FIRST REVOCATION FY 1995-FY 1999 PAROLEES									
FY	# PAROLED	YEAR 1		YEAR 2		YEAR 3		TOTAL	
		#	%	#	%	#	%	#	%
1995	6	0	0%	0	0%	0	0%	0	0%
1996	2	0	0%	0	0%	0	0%	0	0%
1997	6	0	0%	0	0%	2	33.3%	2	0%
1998	1	0	0%	0	0%	**	**	0	0%
1999	1	0	0%	**	**	**	**	0	0%
TOTAL	16	0	0%	0	0%	2	12.5%	16	12.5%

** Not applicable.

NOTE: Offenders paroled in FY 1998 may not have been on parole for an entire second year. Also, offenders paroled in FY 1999 have not been on parole for the entire first year.

